

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES ALLYN BATTERTON,

Defendant.

CR 22-51-M-DLC

ORDER

Before the Court is United States' Unopposed Motion for Preliminary Order of Forfeiture. (Doc. 31.) Defendant James Allyn Batterton has been adjudged guilty of possession with intent to distribute methamphetamine as charged in Count 2 of the Indictment. (Doc. 29.) As such, there is a factual basis and cause to issue an order of forfeiture, pursuant to 21 U.S.C. § 853(a)(1) and (2) and 21 U.S.C. § 881(a)(11).

Accordingly, IT IS ORDERED the motion (Doc. 31) is GRANTED.

IT IS FURTHER ORDERED that Mr. Batterton's interest in the following property is forfeited to the United States in accordance with 21 U.S.C. § 853(a)(1) and (2) and 21 U.S.C. § 881(a)(11):

- Ruger Security 9 pistol serial 383-53621;

- Pistol- Glock 22 Gen 4 Serial WDT690;
- Pistol- Springfield Armory XD Serial US 787299;
- Pistol- Ruger Blackhawk Serial 3489557;
- Pistol- Springfield Armory XD Serial GM 143472;
- Shotgun- Mossberg 500 Serial U665722;
- Rifle- AR 15 No Serial number/markings;
- Shotgun- New England Firearms serial NF207211;
- Rifle-Inland M1 Carbine Serial 6646496;
- Shotgun-H&R Pardner Serial HX252232;
- Rifle- Mossberg AR-15 Serial EMF3774564;
- Rifle- AR 15 Palmetto Liberty Serial: ORDEATH3448; and
- Assorted ammunition.

IT IS FURTHER ORDERED that the ATF or a designated sub-custodian is directed to seize the property subject to forfeiture and further to make a return as provided by law.

IT IS FURTHER ORDERED that the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture

Actions, notice of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General of the United States may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture in which all interests will be addressed.

DATED this 21st day of March, 2023.



Dana L. Christensen, District Judge
United States District Court